EXHIBIT K

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
--------------------------------------X
LLEWELLYN ANGELO WILLIAMS,

Plaintiff,

-against-

INDEX NO.
13-CV-3315(NSR)(JCM)
ECF CASE

THE CITY OF NEW ROCHELLE,
THE CITY OF NEW ROCHELLE POLICE DEPARTMENT
SERGEANT DANIEL CONCA,
SERGEANT JOHN INZEO,
SERGEANT KYLE WILSON,
POLICE OFFICER ADAM CASTIGLIA,
POLICE OFFICER EDWARD SILLER,

Defendants.
--------------------------------------X

City Hall
515 North Avenue
February 11, 2015
Time: 12:38 p.m.

EXAMINATION BEFORE TRIAL OF SERGEANT KYLE WILSON, a Defendant, in the above-captioned matter, held at the above time and place before Judy Pisani, a Notary Public of the State of New York.

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A P P E A R A N C E S:

RUSSELL B. SMITH, ESQ.
Attorney for Plaintiff
399 Knollwood Road - Suite 220
White Plains, New York 10603

MARK W. BLANCHARD, ESQ. Corporation Counsel
Attorney for Defendants
City Hall
515 North Avenue
New Rochelle, New York 10801
BY: BRIAN J. POWERS, ESQ.
Deputy Corporation Counsel

ALSO PRESENT:

Sergeant John Inzeo
Sergeant Daniel Conca
Police Officer Edward Siller

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S T I P U L A T I O N S:

IT IS HEREBY STIPULATED AND AGREED, by and between the attorneys for the respective parties hereto, that this examination may be sworn to before any Notary Public.

IT IS FURTHER STIPULATED AND AGREED that the filing and certification of the said examination shall be waived.

IT IS FURTHER STIPULATED AND AGREED that all objections to questions, except as to the form of the question shall be reserved for the time of trial.

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SERGEANT KYLE WILSON, having been duly sworn by Judy Pisani, a Notary Public within and for the State of New York, was examined and testified as follows:

oOo

MR. POWERS: As with prior witnesses, I am requesting that we be provided with a copy of the transcript for the witness' review pursuant to Federal Rules of Civil Procedure 30-E.

MR. SMITH: I will provide that as I indicated previously.

EXAMINATION BY MR. SMITH:

Q. Is it Sergeant Wilson?
A. Correct.
Q. Sergeant, my name is Russell Smith. I'm going to be asking you some questions here this afternoon.
Sergeant, how long have you been a member of the New Rochelle Police Department?
A. I just past 20 years in September, almost 21.
Q. What is your current position?
A. Sergeant on the second tour.
Q. Do you have a specific function as a sergeant, do you patrol?

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A. Patrol Sergeant supervising officers.
Q. Is that for the entire city or is there sector that you're assigned to?
A. No, I don't have a signed sector, no. Just oversee everybody, really. There's no area.
Q. During the course -- the time that you've been working as a member of the New Rochelle Police Department, what company or what organization has performed the towing and booting of automobiles on public lots and public streets of the City of New Rochelle?
A. For us, for the policemen?
Q. For the City of New Rochelle.
A. Safeway Towing.
Q. And Safeway has offices located where?
A. 5 Pleasant Street, I believe.
Q. When Safeway Towing actually tows an automobile, do you know where the lots are where they take the vehicles that they tow?
A. Their main lot is right out of 5 Pleasant Street, then there's a smaller lot that's at the other end of the block at Valley Road and Pleasant Street on the corner.
Q. Sergeant, is it a correct statement that

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A. Yes, I am.
Q. Are you now aware that there are individual parking spaces in that lot that's located at 122 Union?
A. I'm not aware there's individual spaces. Definitely a parking lot.
Q. Did you ever meet with an individual named Kevin Williams who lived in that building there at 122 Union?
A. I did not.
Q. In reading the reports with regard to this incident, are you now aware that there are members of the New Rochelle Police Department that advised Mr. Angelo Williams that he, in fact, did not have the authority to boot any vehicles in the parking lot at 122 Union?
A. Yes.
Q. But, in fact, that's a private lot; correct?
A. It's a private lot, but the report says that Safeway has the lot.
Q. There is, in fact, a sign in that lot that indicates Safeway is responsible to enforce the booting; correct?
A. Correct.
Q. But, in fact, you learned during the course

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of this incident the boot on that automobile had been placed there by Angelo Williams?
A. Correct.
Q. And the reason he put the boot on that vehicle was to safeguard that vehicle and to prevent his sister from removing it from the lot; correct?
MR. POWERS: Objection. You're asking for the officer to give his state of mind, meaning Mr. Williams' state of mind? Do you want us to speculate?
MR. SMITH: No.
Q. You learned that that's why he booted the car; right?
A. No, I didn't. Did he say that? I don't remember him telling me that.
Q. I'm asking you now. Angelo gave a statement to the New Rochelle Police Department; correct? The statement is contained there.
A. The CO3, yes.
Q. And you read that; correct?
A. Yeah, I read it now.
Q. According to the report that Mr. Williams gave to the New Rochelle Police Department, he knew nothing about Felicia being the owner of the car

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according to him; correct?
A. Correct.
Q. In fact, Angelo Williams told the New Rochelle Police Department that the vehicle in question belonged to either Kevin or the entire family according to Angelo?
A. According to Angelo, right.
Q. And Angelo informed the New Rochelle Police Department he had never seen any documentation stating anything other than that; correct?
A. Correct.
Q. And, in fact, Angelo told your department that he was in the process of going to forward in Surrogate's Court so that they can determine the rightful own of the vehicle; correct?
A. Correct.
Q. What happened to the car?
A. Officer Castiglia apparently thought he had paperwork from the sister; titles, notarized letters saying that the car was willed to her. He thought fit that the car did belong to her. He let her drive off in it.
Q. Without license plates?
A. We gave a MV78B, which is a document saying

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that the plates got stolen or you lost them. Hopefully, that would help her in case she was stopped by the police.
Q. The officer at the scene actually provided her with some type of document so that if she was stopped for driving an automobile without license plates, that might assist her in continuing with her trip?
A. Correct.
Q. Is that document part of the packet there?
A. From me? No, I have nothing.
Q. You're familiar with what police documents are, and you just indicated that it's your understanding that Ms. Rosenbaum was given an MV --
A. MV78B.
Q. That would allow her to drive a vehicle without plates.
A. It would help her in case she was stopped. That's all.
Q. It's your understanding that the vehicle -- sorry. The officer originally who was responsible not only allowed to her to drive that vehicle without plates, he gave her a document that would prevent her from being arrested for driving a vehicle without

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plates.
A. I don't know if it would stop her from being arrested.
Q. Does that form --
A. It just indicates to any authority that the plates were stolen that date. It would afford her some leeway in getting the car home.
Q. It's your understanding that the officer wrote a report that stated that the plates for this vehicle were stolen?
A. No, he wrote "missing".
Q. Okay.
A. Or lost.
Q. Or lost.
MR. SMITH: I have nothing further of this witness.
EXAMINATION BY MR. POWERS:
Q. Sergeant, do you have anything to do with the awarding of the Safeway contract?
A. No, I do not.
Q. Or its terms or conditions?
A. No, I don't.
Q. Regarding the incident that Mr. Smith just talked to you about on July 17th, 2013, you weren't at

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the scene; right?
A. No, I was not.
Q. As far as the report, Exhibit B -- I'm sorry, Exhibit 4, this is a civilian complaint form after the incident?
A. Yes.
Q. Not done on the scene; correct?
A. No, no, not done on the scene.
Q. The report also indicates that Mr. Williams advised that he had no information about the whereabouts of the license plates?
A. Right, correct.
Q. Do you know Mr. Williams testified that he took the plates?
A. Yeah, I've heard that.
MR. POWERS: That's all I have.
(Time noted: 1:03 p.m.)

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STATE OF NEW YORK)
ss:
COUNTY OF WESTCHESTER)

I, KYLE WILSON, hereby certify that having been first duly sworn to testify to the truth, gave the above deposition, which was recorded stenographically and reduced to this original transcript.

I FURTHER CERTIFY that the foregoing transcript is a true and correct transcript of the testimony given by me at the time and place specified hereinbefore.

I FURTHER CERTIFY that any corrections or changes to this testimony have been made by me on the Correction Sheet, which has also been signed by me before a Notary Public.

____
KYLE WILSON

Sworn to before me this
____day of ______, 2015.

____
Notary Public

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CORRECTION SHEET

PAGE(S) \ LINE(S) \ SHOULD READ --